MYSORE ACT No. 20 OF 1954.

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THE MYSORE POLICE (AMENDMENT) ACT, 1954.

(*Received the assent of the Rajpramukh on the Twenty-eighth Day of April 1954.*)

An Act further to amend the Mysore Police Act, 1908.

WHEREAS it is expedient further to amend the Mysore Police Act, 1908 (Mysore Act V of 1908);

It is hereby enacted as follows :—

1. Short title and commencement.—(1) This Act may be called the Mysore Police (Amendment) Act, 1954.

(2) It shall come into force at once in the cities of Bangalore, Mysore and Davangere and in the towns of Kolar, Tumkur, Chitaldrug, Shimoga, Chikmagalur, Hassan and Mandya and in the Kolar Gold Fields Sanitary Board Area and the old and new Towns of Bhadravathi; and it shall come into force in such other areas from such dates as the State Government may, by notification in the *Mysore Gazette*, specify in this behalf.

2. Insertion of new sections 38-A and 38-B in Mysore Act V of 1908.—After section 38 of the Mysore Police Act, 1908 (hereinafter referred to as the principal Act), the following sections shall be inserted, namely :—

"38-A. *Control of sound or noise.*—(1) If the District Superintendent or the Assistant Superintendent or any Magistrate of the First Class having jurisdiction in any area is satisfied from the report of an officer in charge of a Police Station or other information received by him that it is necessary to do so in order to prevent annoyance, disturbance, discomfort or injury or likelihood of annoyance, disturbance, discomfort or injury to the public or to any persons who dwell in the vicinity, he may, by a written order issue such direction as he may consider necessary to any person for

preventing, prohibiting, controlling or regulating the incidence or continuance in or upon any premises or place of—

(i) any vocal or instrumental music, or

(ii) sounds caused by the playing, beating, clashing, blowing or use in any manner whatsoever of any instrument, appliance, apparatus or contrivance which is capable of producing sound.

(2) The officer empowered under sub-section (1) may, either on his own motion or on the application of any person aggrieved by an order made under sub-section (1), either rescind, modify or alter any such order:

Provided that before any such application is disposed of the said officer shall afford to the applicant an opportunity of appearing before him either in person or by pleader and showing cause against the order and shall, if he rejects any such application either wholly or in part, record his reasons for such rejection.

38-B. *Licensing use of Loudspeakers, etc.*—Subject to the provisions of section 38-A, no person shall use or operate—

(i) in or upon any premises any loudspeaker or other apparatus for amplifying any musical or other sound, at such pitch or volume as to be audible beyond fifty feet from such premises;

(ii) in any open space any loudspeaker or other apparatus for amplifying any musical or other sound, at such pitch or volume as to be audible beyond two hundred feet from the place at which the musical or other sound is produced or reproduced,

except under and in accordance with the conditions of a licence granted by the District Superintendent or in such local area by such other officer as the State Government may, by notification in the *Mysore Gazette*, specify in this behalf."

3. Amendment of section 51 of Mysore Act V of 1908.—In section 51 of the principal Act, for the figures and word "40 or 41", the figures, letter and words "38-A or 40 or 41" shall be substituted.

4. Amendment of section 56 of Mysore Act V of 1908.—After clause (*h*) of section 56 of the principal Act, the following clause shall be inserted, namely:—

"(*ha*) uses or operates at any place any apparatus for amplifying any musical or other sound, such as a megaphone or

loudspeaker, at any time between ten o'clock in the night and six o'clock in the morning, whereby any annoyance, disturbance, or discomfort is caused to the inhabitants in the vicinity."

5. Insertion of new section 67-A in Mysore Act V of 1908.— After section 67 of the principal Act, the following section shall be inserted, namely :—

" 67-A. *Penalty for contravening orders under section 38-A or 38-B.*—Whoever contravenes any order under section 38-A or section 38-B or any condition of a licence granted thereunder or abets the contravention thereof, shall be punished with imprisonment for a term which may extend to three months or with fine which may extend to five hundred rupees or with both."

6. Amendment of section 75 of Mysore Act V of 1908.—In section 75 of the principal Act, after the figures "62", the figures and letter "67-A" shall be inserted.